REMARKS

Claims 1-41 are pending in the application; the status of the claims is as follows:

Claims 1-4, 13-17, 19-21, 30 and 31 are rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,607,332 to Goldberg ("Goldberg").

Claims 5, 6, 18, 22-24 and 32-36 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of U.S. Patent No. 5,450,589 to Maebayashi et al. ("Maebayashi").

Claims 7-12 and 25-28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of U.S. Patent No. 6,074,434 to Cole et al. ("Cole").

Claim 29 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of Cole, and further in view of Maebayashi.

Claims 37-41 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of U.S. Patent No. 6,260,157 B1 to Schurecht et al. ("Schurecht").

Claims 1, 7 and 13 have been amended to more clearly define the invention. These changes do not introduce any new matter.

Claims 1, 7 and 13 have also been amended to correct for antecedent basis and to correct a misspelling. More specifically, "a" has been replaced with "said" in claims 1, 7 and 13; and the spelling of "reprogrammable" in claim 1 has been corrected. Claims 10 and 39 have been amended to add the word "and." These changes are not necessitated by the prior art, are unrelated to the patentability of the invention over the prior art, and do not introduce any new matter.

35 U.S.C. § 102(b) Rejection

The rejection of claims 1-4, 13-17, 19-21, 30 and 31 under 35 U.S.C. § 102(b) as being anticipated by Goldberg, is respectfully traversed based on the following.

Goldberg discloses a microcomputer system in which Read-Only Memory (ROM) is used to store programs. The microcomputer system is configured with Random-Access Memory (RAM), and each ROM based program includes a test to determine if any ROM program is to be replaced by a RAM program. (Col. 1, lines 13-30). Thus, Goldberg discloses a system having two memories, a RAM and a ROM, for storing programs.

The Office Action indicates that Goldberg discloses "that the RAM is searched and/or read to determine the location of data," and that the "data is located in either the nonvolatile reprogrammable memory (*i.e.*, nonvolatile RAM) or the read only memory." The Office Action appears to indicate that the separate claimed steps of "reading a random access memory" and "reading a nonvolatile reprogrammable memory" (a different memory) are both anticipated by the disclosure in Goldberg of reading the RAM.

Claim 1 is directed to a method for providing data to an electronic device having three distinct memories, (1) a RAM, (2) a nonvolatile reprogrammable memory, and (3) a ROM. The first memory (*i.e.*, the RAM) is read to determine whether the data is located in the second memory (*i.e.*, the nonvolatile reprogrammable memory). If the data is located in the second memory, then the second memory is read. If the data is not located in the second memory, then the third memory (*i.e.*, the ROM) is read. Since Goldberg only discloses two distinct memories, Goldberg cannot anticipate claim 1, which requires that the first memory be read to determine which of the second or third memory should be read to obtain the data.

Claims 2-4 depend from and include all the limitations of claim 1. Thus, claims 2-4 are not anticipated by Goldberg for at least the same reasons.

Claim 13 is directed to a method for storing a software program in a memory module. The memory module includes three distinct memories, (1) a ROM, (2) a nonvolatile reprogrammable memory, and (3) a RAM. The first memory (*i.e.*, the ROM) is created with a first set of software modules. A second set of software modules is stored in the second memory (i.e., the nonvolatile reprogrammable memory), and location information is stored in the third memory (i.e., the RAM). Since Goldberg only discloses two distinct memories, Goldberg cannot anticipate claim 13, which recites the step of storing, in the third memory, location information corresponding to software modules stored in the first and second memories.

Claims 14-17 depend from and include all the limitations of claim 13. Thus, claims 14-17 are not anticipated by Goldberg for at least the same reasons.

Claim 19 is directed to a memory module including (1) a ROM for storing fixed data, (2) a nonvolatile reprogrammable memory for storing updated data, and (3) a RAM for storing location data. As discussed above, Goldberg only discloses two distinct memories and thus cannot anticipate claim 19. Claims 20-21 depend from and include all the limitations of claim 19. Thus, claims 20-21 are not anticipated by Goldberg for at least the same reasons.

Claim 30 is directed to a memory module including (1) a mask ROM for storing fixed data, (2) a RAM for storing the location of the fixed data, and (3) a nonvolatile reprogrammable memory for storing updated data. As discussed above, Goldberg only discloses two distinct memories. Thus, Goldberg cannot anticipate claim 30. Claim 31 depends from and includes all the limitations of claim 30. Thus, claim 31 is not anticipated by Goldberg for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 1-4, 13-17, 19-21, 30 and 31 under 35 U.S.C. § 102(b) as being anticipated by Goldberg, be reconsidered and withdrawn.

35 U.S.C. § 103(a) Rejections

The rejection of claims 5, 6, 18, 22-24 and 32-36 under 35 U.S.C. § 103(a), as being unpatentable over Goldberg in view of Maebayashi, is respectfully traversed based on the following.

Claims 5 and 6 depend from and contain all the limitations of claim 1. As discussed above, claim 1 requires that the first memory (i.e., the RAM) be read to determine the location of the data, which is in either the second memory (i.e., the nonvolatile reprogrammable memory) or the third memory (i.e., the ROM). Once the location is known, the data can be retrieved from the nonvolatile reprogrammable memory or the ROM. Thus, the pertinent data need only be read from one of the nonvolatile reprogrammable memory or ROM. In contrast to claim 1 (and dependent claims 5-6), Maebayashi discloses that program data is read from the ROM and stored in RAM. Once stored in RAM, the program data is then modified by the modification data read from the EEPROM. Further, as discussed above, Goldberg discloses that the replacement program is stored in RAM. Thus, neither Maebayashi nor Goldberg, individually or in combination, discloses all the features of claims 5-6. Therefore, claims 5-6 are considered to be allowable over Goldberg and Maebayashi.

Claim 18 depends from and contains all the limitations of claim 13. As discussed above, claim 13 requires that the first set of software modules be contained in a ROM, the second set of software modules be stored in a nonvolatile reprogrammable memory, and location information be stored in a RAM. In contrast to claim 13 (and dependent claim 18), neither Maebayashi nor Goldberg discloses that location information corresponding to the modules (which are stored in ROM or nonvolatile reprogrammable memory) is stored in RAM. Thus, claim 18 is considered to be allowable over Goldberg and Maebayashi.

Claims 22-24 depend from and contain all the limitations of claim 19. As discussed above, claim 19 requires that fixed data be stored in a ROM, updated data be

stored in a nonvolatile reprogrammable memory, and location data be stored in a RAM. As discussed above, neither Maebayashi nor Goldberg discloses that location data is stored in RAM. Thus, claims 22-24 are considered to be allowable over Goldberg and Maebayashi.

Claims 32-35 depend from and contain all the limitations of claim 30. As discussed above, claim 30 requires that fixed data be stored in a mask ROM, updated data be stored in a nonvolatile reprogrammable memory, and location data be stored in a RAM. As discussed above, neither Maebayashi nor Goldberg discloses that location data is stored in RAM. Thus, claims 32-35 are considered to be allowable over Goldberg and Maebayashi.

Claim 36 requires that the locations of the fixed and updated data be stored in a RAM. Further, claim 36 requires that the updated data be stored in a nonvolatile reprogrammable memory. As discussed above, neither Maebayashi nor Goldberg discloses that location data is stored in RAM. Thus, claim 36 is considered to be allowable over Goldberg and Maebayashi.

Accordingly, it is respectfully requested that the rejection of claims 5, 6, 18, 22-24 and 32-36 under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of Maebayashi, be reconsidered and withdrawn.

The rejection of claims 7-12 and 25-28 under 35 U.S.C. § 103(a), as being unpatentable over Goldberg in view of Cole, is respectfully traversed based on the following.

Claim 7 is directed to a method for providing data to an electronic device having three distinct memories, (1) a RAM, (2) a nonvolatile reprogrammable memory, and (3) a ROM. The first memory (i.e., the RAM) is read to select a desired version of the data from among a plurality of versions of the data stored in the second memory (i.e., the nonvolatile reprogrammable memory) and the third memory (i.e., the ROM). Based on

the selection, the second or third memory is read. Thus, claim 7 requires that the desired version of data be stored in either the nonvolatile reprogrammable memory or the ROM.

As discussed above, Goldberg discloses that the replacement program is stored in RAM. Cole discloses that the code update is downloaded from a server computer. Thus, neither Goldberg nor Cole, individually or in combination, discloses all the features of claim 7. Therefore, claim 7 is considered to be allowable over Goldberg and Cole. Claims 8-12 depend from and contain all the limitations of claim 7. Thus, claims 8-12 are allowable for at least the same reasons.

Claim 25 is directed to a memory module having (1) a ROM, (2) a nonvolatile reprogrammable memory, and (3) a RAM for storing location data corresponding to a desired version of data from among a plurality of versions of the data stored in the nonvolatile reprogrammable memory or the ROM. Thus, claim 25 requires that the desired version of data be stored in either the nonvolatile reprogrammable memory or the ROM, and that the location data be stored in the RAM.

As discussed above, Goldberg discloses that the replacement program is stored in RAM, while Cole discloses that the code update is downloaded from a server computer. Thus, neither Goldberg nor Cole, individually or in combination, discloses all the features of claim 25. Therefore, claim 25 is considered to be allowable over Goldberg and Cole. Claims 26-28 depend from and contain all the limitations of claim 25. Thus, claims 26-28 are allowable for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 7-12 and 25-28 under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of Cole, be reconsidered and withdrawn.

The rejection of claim 29 under 35 U.S.C. § 103(a), as being unpatentable over Goldberg in view of Cole, and further in view of Maebayashi, is respectfully traversed based on the following.

Claim 29 depends from and include all the limitations of claim 25. As discussed above, claim 25 requires that the desired version of data be stored in either the nonvolatile reprogrammable memory or the ROM, and that the location data be stored in the RAM. Further, as discussed above, claim 25 (and therefore claim 29) is considered to be allowable over Goldberg in view of Cole because Goldberg discloses that the replacement program is stored in RAM, while Cole discloses that the code update is downloaded from a server computer. Additionally, as discussed above, neither Maebayashi nor Goldberg discloses that location data is stored in RAM. Thus, claim 29 is considered to be allowable over Goldberg, Cole, and Maebayashi, individually or in any combination.

Accordingly, it is respectfully requested that the rejection of claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of Cole, and further in view of Maebayashi, be reconsidered and withdrawn.

The rejection of claims 37-41 under 35 U.S.C. § 103(a), as being unpatentable over Goldberg in view of Schurecht, is respectfully traversed based on the following.

Claims 37 and 38 depend from and contain all the limitations of claim 36. As discussed above, claim 36 requires that the updated data be stored in a nonvolatile reprogrammable memory. Goldberg discloses that the replacement program is stored in RAM. Similarly, Schurecht discloses that the patch program is stored in program RAM. Thus, claim 36 and its dependent claims, claims 37 and 38, are considered to be allowable over Goldberg and Schurecht.

Claim 39 requires that the updated data be stored in a nonvolatile reprogrammable memory. As discussed above, Goldberg discloses that the replacement program is stored in RAM. Similarly, Schurecht discloses that the patch program is stored in program RAM. Thus, claim 39 is considered to be allowable over Goldberg and Schurecht. Claims 40 and 41 depend from and contain all the limitations of claim 39. Thus, claims 40 and 41 are allowable for at least the same reasons.

Accordingly, it is respectfully requested that the rejection of claims 37-41 under 35 U.S.C. § 103(a) as being unpatentable over Goldberg in view of Schurecht, be reconsidered and withdrawn.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee,

and not submitted herewith should be charged to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

By: _____

Dale B. Nixon
Registration No. 28,454
Attorney for Applicants

DBN/llb:bar
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood, Suite 3400
Dallas, Texas 75201
Direct: (214) 981-3309
Main: (214) 981-3300
Facsimile: (214) 981-3400
March 14, 2005